

AMENDED IN SENATE JUNE 19, 2000

AMENDED IN SENATE JUNE 8, 2000

AMENDED IN ASSEMBLY APRIL 27, 2000

AMENDED IN ASSEMBLY APRIL 5, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 1759

Introduced by Assembly Member Papan

January 18, 2000

An act to add ~~Sections 6253.1 and 11790.52~~ *Section 6253.1* to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1759, as amended, Papan. Public records: Internet reports.

Under the California Public Records Act, certain public records are required to be made available for public inspection.

This bill would require every state agency that establishes and maintains, or causes to be maintained, a site on the Internet to make available on the Internet a list of all reports and studies initiated and prepared by that state agency or prepared pursuant to a contract with that state agency that are otherwise subject to disclosure pursuant to the act. ~~These provisions would not become operative if AB 2100 is enacted.~~

~~This bill also would require state agencies to submit proposals for posting on the Internet a list of its reports or~~

~~studies, as specified. This provision would become operative only if AB 2100 is also enacted.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to allow
2 Californians to access public information through the
3 California Public Records Act (Chapter 3.5
4 (commencing with Section 6250) of Division 7 of Title 1
5 of the Government Code) and to make citizens aware of
6 the ~~good~~ work that has been done and is being initiated
7 by state agencies. Furthermore, it is the intent of the
8 Legislature to enable individuals to know succinctly what
9 information produced by state agencies is available to the
10 public upon request.

11 SEC. 2. Section 6253.1 is added to the Government
12 Code, to read:

13 6253.1. (a) Every state agency that establishes and
14 maintains, or causes to be maintained, a site on the
15 Internet shall make available on the Internet a list of all
16 reports and studies initiated and prepared by that state
17 agency or prepared pursuant to a contract with that state
18 agency that are otherwise subject to disclosure pursuant
19 to this chapter. This list shall be continuously updated to
20 include every completed report or study that is subject to
21 disclosure not more than 10 working days after the
22 completion of the report or study. No report or study shall
23 be removed from the list for a period of one year from the
24 date that it was added to the list made available on the
25 Internet. The agency shall organize the list to facilitate
26 ease of use. The list may be organized by the type or
27 subject matter of the documents, or other reasonable
28 sorting criteria, and may consolidate listings for similar or
29 recurring documents.

30 (b) For purposes of this section:

31 (1) "Internet" has the meaning set forth in paragraph
32 (6) of subdivision (e) of Section 17538 of the Business and
33 Professions Code.

(2) Notwithstanding subdivision (a) of Section 6252, “state agency” does not include the California Community Colleges, the California State University, or the University of California.

(3) “Report or study” means a written analysis, interpretation, or summary of research, including, but not limited to, opinion polls, surveys, policy summaries, and research projects, but does not include statistical compilations or printouts of computer data bases, without analysis or interpretation, that are created on a recurring basis and intended for the agency’s internal use.

~~SEC. 3. Section 11790.52 is added to the Government Code, to read:~~

~~11790.52. State agencies shall submit proposals to the California Internet Portal Management Authority for continued posting on the Internet, on or after July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99, a list of all reports or studies initiated and prepared by that state agency or prepared pursuant to a contract with that state agency. Proposals submitted for posting shall include content maintenance provisions, as provided by this chapter.~~

~~SEC. 4. Section 3 of this act conforms the additions to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) made by this act to policies regarding electronic governance envisioned by AB 2100 of the 1999 2000 Regular Session of the Legislature. Section 3 shall become operative only if both this bill and AB 2100 are enacted and become effective on or before January 1, 2001, in which case Section 2 shall not become operative.~~